

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

Inventor(s): FUJII et al.

PATENT

APPLICATION

Appln. No. 09/749,693

series code ↑

↑ serial

Group Art Unit: 2856

Examiner: Kwok

Filed: December 28, 2000

Title: SEMICONDUCTOR MECHANICAL SENSOR

TERMINAL DISCLAIMER

(By Attorney)

Re Double-Patenting Rejection

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

The undersigned petitioner, an attorney of record, is hereby acting for the unnamed entity which is the 100% owner of all rights, title and interests in and to the subject application:

1. ☐ by virtue of being the inventor(s) and having not assigned this application
2. ☐ as shown by the Assignment recorded ___ on Reel ___ at Frame ___ (date)
3. ☒ as shown by the attached copy of the Assignment filed for recordal on December 28, 2000 (date)

4. ☐ and, if the assignor in that Assignment is not the original owner (inventor(s)), the chain of title from the original owner to that Assignment as recorded on Reel ___ at Frame ___ Reel ___ at Frame ___

and hereby disclaims (except as provided below) the terminal part of the statutory term of any patent granted on the subject application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened (if at all) by any terminal disclaimer of:

5. ☐ any patent granted in regard to U.S. Application No. 0 / filed *
6. ☒ the earlier granted United States Patent No. 6,227,050 *

to which said entity also has legal title. Petitioner hereby reserves the right to extend the term of the patent, which issues on this application, for regulatory delay or otherwise as the law allows. Petitioner hereby agrees that any patent so granted on the subject application shall be enforceable only for and during such period that it and the patent in the above line numbered 5 or 6 are commonly owned. This agreement runs with any patent granted on the subject application and is binding upon the grantee, its successors or assigns.

30206889, 1.DOC

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the patent in line numbered 5 or 6 above, as presently shortened by any terminal disclaimer, of the above-listed patent in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Entity: NIPPONDENSO CO. LTD

Atty. Sig. _____

Sharon J. Hoppe
Attorney of Record:

Name: Glenn J. Perry

Reg. No.: 28,458

Date: August 20, 2001

- * Attorney and client: Please note on that other file and also this appln. file not to assign either separately in view of this disclaimer.

☒ Terminal disclaimer fee under 37 CFR 1.20(d) is enclosed.

**TERMINAL DISCLAIMER
APPROVED**

AUG 30 2001

TECHNOLOGY CENTER 2800
SPECIAL PROGRAM CENTER

Sharon J. Hoppe
Sharon Hoppe

Supervisory Legal Instrumental Examiner
Technology Center 2800

Patricia L. Specialist



COPY

PAT-103 11/00 PTO RECEIPT FOR INDICATED ITEMS Atty GLK
Div. of Appln. No: 09/181,615 Date 12/28/00
Inventor(s) FUJII ET AL C# 011349
Title: SEMICONDUCTOR FOR MECHANICAL SENSOR M# 275339

ENCLOSED:

- ☒ Preliminary Amendment
1 No. of Pages Abstract
35 No. of Pages Spec and Claims
5 No. of numbered Claims only
☒ Declaration (1 #pgs)
☒ Assignment ☒ Cover Sheet (2 separate documents)
No. of Priority Documents
21 No. Sheets Drawings (Fig(s) 1 to 31) ☒ 1 set Formal
☐ IDS Letter ☐ cited Appl(s). ☐ Foreign sch rept./OA
☒ PTO-1449 ☒ cited docs.
\$ 790.00 Fee (Check)
Other:



CURRENT DUE DATE:

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AUG 28 2001
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RECORDATION FORM COVER SHEET
PATENT APPLICATIONS & PATENTS ONLY

TO THE ASSISTANT COMMISSIONER OF PATENTS AND TRADEMARKS:

SIR: PLEASE RECORD THE ATTACHED ORIGINAL DOCUMENTS OR COPY THEREOF.

1. NAME OF CONVEYING PARTY(IES) (ASSIGNOR(S)):

1. Masahito IMAI

3.

5.

7.

2.

4.

6.

8.

ADDITIONAL NAME(S) OF CONVEYING PARTY(IES) ATTACHED? ☐ YES ☒ NO

2. PARTY(IES) (ASSIGNEE(S)) RECEIVING INTEREST:

NAME: NIPPONDENSO CO., LTD

ADDRESS: 1-1 Showa-cho, Kariya-city, Aichi-pref., 448-8661, JAPAN

ADDITIONAL NAME(S) & ADDRESS(ES) ATTACHED? ☐ YES ☒ NO

3. NATURE OF CONVEYANCE (DOCUMENT):

(Submit herewith only one document for recordation—multiple copies of same Assignment signed by different inventors is one document)

- ☒ ASSIGNMENT OF ☒ WHOLE ☐ PART INTEREST
☐ ORIGINAL ☐ FACSIMILE/PHOTOCOPY
☐ CHANGE OF NAME ☐ VERIFIED TRANSLATION
☐ SECURITY ☐ MERGER ☐ OTHER:

EXEC. DATE: September 16, 1993

EXECUTION DATE(S) ON THE DECLARATION IF FILED HERewith: (NOTE: IF DATES ON DECLARATION AND ASSIGNMENT DIFFER SEE ATTY!)

4.5 APPL. NO. (S) OR PAT NO. (S). OTHERS ON ADDITIONAL SHEET(S) attached? ☐ YES ☒ NO

A. PAT. APP. NO.(S) series code/serial no.	M#	1 st INVENTOR if not in item 1	B. PATENT NO(S)	M#	1 st INVENTOR if not in item 1
Div. of 09/181,615	275339	FUJII			

5. Name & Address of Party to Whom Correspondence
 Concerning Document Should be Mailed:

Pillsbury Madison & Sutro LLP
Intellectual Property Group
 1100 New York Avenue, NW
 Ninth Floor
 Washington, DC 20005-3918

5.5 ATTY DKT:

PMS 275339

ND-A050-US5DIV#2

6. NUMBER INVOLVED:
 APPLNS 1 + PATS 0 = TOTAL 1

7. AMOUNT OF FEE ENCLOSED: (Code 581)
 ABOVE TOTAL x \$40 = \$40

8. IF ABOVE FEE IS MISSING OR INADEQUATE CHARGE
 INSUFFICIENCY TO DEPOSIT ACCOUNT NUMBER: 03-3975

UNDER ORDER NO	11349	275339
dup. sheet not required	CLIENT NO.	MATTER NO.

9. STATEMENT AND SIGNATURE.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

10. Total number of pages including this cover sheet, attachments and document (do not file dup. Cover sheet)	2
---	---

Signature

Attorney: G. Lloyd Knight

Reg. No. 17698

Atty/Sec: GLK/jlc

TEL: (202) 861-3090

Date: December 28, 2000

FAX: (202) 822-0944

FILE WITH PTO RETURN RECEIPT (PAT-103A)

U.S. ASSIGNMENT

IN CONSIDERATION of the sum of One Dollar (\$1.00), and of other good and valuable consideration paid to the undersigned inventor(s) (hereinafter "ASSIGNOR") by

(Insert
ASSIGNEE's
Name(s)
Address(es))

NIPPONDENSO CO., LTD.

1-1 SHOWA-CHO KARIYA-CITY AICHI-PREF. 448 JAPAN

COPY

(hereinafter "ASSIGNEE"), the receipt of which is hereby acknowledged, the undersigned ASSIGNOR hereby sells, assigns and transfers to ASSIGNEE the entire and exclusive right, title and interest to the invention entitled

(Title of
Invention)

SEMICONDUCTOR MECHANICAL SENSOR AND METHOD OF MANUFACTURE

relating to International Patent Application PCT/JP _____/_____ and/or for which application for Letters Patent of the United States was executed on even date herewith or, if not so executed, was:

(Insert date
of execution
of application,
if not
concurrent)

(a) executed on _____;

(b) filed on August 20, 1993
Serial No. 8 / 109,504;

(Cushman, Darby & Cushman
Washington, D.C.
_____) is hereby authorized to insert in (b) the specified
data, when known.

and to said application and all Letters Patent(s) of the United States granted on said application and any continuation, division, renewal, substitute, reissue or reexamination application based thereon, for the full term or terms for which the said Letters Patent(s) may be granted and including any extensions thereof (collectively, hereinafter, "said application(s) and Letters Patent(s)").

The ASSIGNOR agree(s), when requested by said ASSIGNEE and without charge to but at the expense of said ASSIGNEE, to do all acts which the ASSIGNEE may deem necessary, desirable or expedient, for securing, maintaining and enforcing protection for said invention, including in the preparation and prosecution of said application(s) and the issuance of said Letters Patent(s), in any interference, reissue, reexamination, or public use proceeding, and in any litigation or other legal proceeding which may arise or be declared in relation to same, such acts to include but not be limited to executing all papers, including separate assignments and declarations, taking all rightful oaths, providing sworn testimony, and obtaining and producing evidence.

IN WITNESS WHEREOF, the undersigned inventor(s) has (have) affixed his/her/their signature(s).

(Signature)

1 Tetsuo Fujii
(SIGNATURE)

Tetsuo Fujii
(TYPE NAME)

September 16, 1993
(DATE)

2 Masahito Imai
(SIGNATURE)

Masahito Imai
(TYPE NAME)

September 16, 1993
(DATE)

3 _____
(SIGNATURE)

(TYPE NAME)

(DATE)

4 _____
(SIGNATURE)

(TYPE NAME)

(DATE)

5 _____
(SIGNATURE)

(TYPE NAME)

(DATE)

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Examiner: Kwok

Title: SEMICONDUCTOR MECHANICAL SENSOR

COMMERCIAL NUMBER 00000065 09749693

110.00 GP

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Atty. Sig. _____

Attorney of Record.

Name: Glenn J. Perry

Reg. No.: 28,458

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APPROVED**

AUG 30 2001

TECHNOLOGY CENTER 2800
SPECIAL PROGRAM CENTER

Sharon S. Hoppe
Sharon Hoppe
Supervisory Legal Instrumental Examiner
Technology Center 2800

Paralegal Specialist



COPY

PAT-103 11/00 PTO RECEIPT FOR INDICATED ITEMS Atty GLK
Div. of Appln. No: 09/181,615 Date 12/28/00
Inventor(s) FUJII ET AL. C# 011149
Title: SEMICONDUCTOR FOR MECHANICAL SENSOR M# 275339

ENCLOSED:

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1 No. of Pages Abstract
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\$ 790.00 Fee (Check)

Other:



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1. Masahito IMAI

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Div. of 09/181,615	275339	FUJII			

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Pillsbury Madison & Sutro LLP
Intellectual Property Group
 1100 New York Avenue, NW
 Ninth Floor
 Washington, DC 20005-3918

5.5 ATTY DKT:

PMS 275339 ND-A050-US5DIV#2
 MATTER NO. CLIENT REF.

6. NUMBER INVOLVED:
 APPLNS 1 + PATS 0 = TOTAL 1

7. AMOUNT OF FEE ENCLOSED: (Code 581)
 ABOVE TOTAL x \$40 = \$40

8. IF ABOVE FEE IS MISSING OR INADEQUATE CHARGE
 INSUFFICIENCY TO DEPOSIT ACCOUNT NUMBER: 03-3975
 UNDER ORDER NO 11349 275339
 dup. sheet not required CLIENT NO. MATTER NO.

9. STATEMENT AND SIGNATURE.

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10. Total number of pages including this
 cover sheet, attachments and document
 (do not file dup. Cover sheet)

2

Signature

Attorney: G. Lloyd Knight

Reg. No. 17698

Atty/Sec: GLK/jlc

TEL: (202) 861-3090

Date: December 28, 2000

FAX: (202) 822-0944

FILE WITH PTO RETURN RECEIPT (PAT-103A)

U.S. ASSIGNMENT

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NIPPONDENSO CO., LTD.

(Insert
ASSIGNEE's
Name(s)
Address(es))

1-1 SHOWA-CHO KARIYA-CITY AICHI-PREF. 448 JAPAN

COPY

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SEMICONDUCTOR MECHANICAL SENSOR AND METHOD OF MANUFACTURE

(Title of
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(Cushman, Darby & Cushman
Washington, D.C.

(b) filed on August 20, 1993
Serial No. 8 / 109,304

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(Signature)

Tetsuo Fujii
(SIGNATURE)

Tetsuo Fujii
(TYPE NAME)

September 16, 1993
(DATE)

Masahito Imai
(SIGNATURE)

Masahito Imai
(TYPE NAME)

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SPECIAL PROGRAM CENTER

Sharon S. Hoppe
Sharon Hoppe
Supervisory Legal Instrumental Examiner
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Div. of 09/181.615

275339

FUJII

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(hereinafter "ASSIGNEE"), the receipt of which is hereby acknowledged, the undersigned ASSIGNOR hereby sells, assigns and transfers to ASSIGNEE the entire and exclusive right, title and interest to the invention entitled

SEMICONDUCTOR MECHANICAL SENSOR AND METHOD OF MANUFACTURE

relating to International Patent Application PCT/JP _____ and/or for which application for Letters Patent of the United States was executed on even date herewith or, if not so executed, was:

(Insert date of execution of application, if not concurrent)

(a) executed on _____

(b) filed on August 20, 1993
Serial No. 8 / 109,504

(Cushman, Darby & Cushman
Washington, D.C.) is hereby authorized to insert in (b) the specified data, when known.

and to said application and all Letters Patent(s) of the United States granted on said application and any continuation, division, renewal, substitute, reissue or reexamination application based thereon, for the full term or terms for which the said Letters Patent(s) may be granted and including any extensions thereof (collectively, hereinafter, "said application(s) and Letters Patent(s)").

The ASSIGNOR agree(s), when requested by said ASSIGNEE and without charge to but at the expense of said ASSIGNEE, to do all acts which the ASSIGNEE may deem necessary, desirable or expedient, for securing, maintaining and enforcing protection for said invention, including in the preparation and prosecution of said application(s) and the issuance of said Letters Patent(s), in any interference, reissue, reexamination, or public use proceeding, and in any litigation or other legal proceeding which may arise or be declared in relation to same, such acts to include but not be limited to executing all papers, including separate assignments and declarations, taking all rightful oaths, providing sworn testimony, and obtaining and producing evidence.

IN WITNESS WHEREOF, the undersigned inventor(s) has (have) affixed his/her/their signature(s).

(Signature)

1. Tetsuo Fujii
(SIGNATURE)

Tetsuo Fujii
(TYPE NAME)

September 16, 1993
(DATE)

2. Masahito Imai
(SIGNATURE)

Masahito Imai
(TYPE NAME)

September 16, 1993
(DATE)

3. _____
(SIGNATURE)

(TYPE NAME)

(DATE)

4. _____
(SIGNATURE)

(TYPE NAME)

(DATE)

5. _____
(SIGNATURE)

(TYPE NAME)

(DATE)